

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:05CR89

**ALLAN THOMAS MOODY, a/k/a
Alan Moody, Allen Thomas Moody and
Alan T. Moody**

DEFENDANT

ORDER

This cause is before the Court on the defendant's Motion to Continue [16]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for September 19, 2005. Counsel for the defendant represents in the motion Moody was not arraigned on the pending charges until August 23, 2005 and that the current trial setting is less than thirty days from the date of his first appearance through counsel—in contravention of the provisions of 18 U.S.C. § 3162. Furthermore, the defendant is exploring the possibility of a plea agreement with the government and needs additional time to complete negotiations. The government does not oppose the requested continuance.

These circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from September 19, 2005 until the new trial date to be set in this matter.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion to Continue [16] is GRANTED;
2. That the trial of this matter is continued until Monday, November 7, 2005 at 9:00

a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;

3. That the delay from September 19, 2005 until November 7, 2005 is excluded as set out above;
4. That the deadline for filing pretrial motions is October 17, 2005;
5. That the deadline for submitting a plea agreement is October 24, 2005.

SO ORDERED, this the 8th day of September, 2005.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE